

**ARIZONA SUPREME COURT  
COMMISSION ON MINORITIES IN THE JUDICIARY (COM)  
MINUTES**

Thursday, September 29, 2011  
1:00 pm – 3:00 pm  
Arizona State Courts Building – Room 230  
Phoenix, Arizona

**MEMBERS PRESENT:**

Mike Baumstark  
Paul Bennett  
Jesus Diaz  
Patricia Ferguson-Bohnee  
Kendall Rhyne  
Honorable Dan Slayton

**STAFF:**

Susan Pickard, Court Services Division, AOC  
Annette Mariani, Court Services Division, AOC

**GUEST(S):**

Theresa Barrett – Court Programs Unit, AOC  
Carol Mitchell – Court Access Specialist, AOC

**PRESENT TELEPHONICALLY:**

Honorable Roxanne Song Ong, Chair  
Honorable Maria Avilez  
Diandra Benally  
Honorable Peter Eckerstrom  
Honorable Mitchell D.K. Kalauli  
Honorable Leslie Miller  
Margarita Silva  
Honorable Alma Vildosola  
Honorable Penny Willrich (Ret.)

**MEMBERS ABSENT:**

Joi Hollis  
Niccole King  
Bob Allen Kirk  
Arthur Wilkerson

**REGULAR BUSINESS**

**1. Call to Order:**

Jesus Diaz, Vice Chair called the meeting to order with a quorum present.

**2. Welcome, Introductions:**

Commission members present and on the telephone introduced themselves. This was the first meeting for the following members: Professor Paul Bennett, Professor Patricia Ferguson-Bohnee, Honorable Dan Slayton, and Honorable Alma Vildosola. One exception was new member Mr. Bob Allen Kirk who was not able to be present. New members were welcomed and encouraged to review the charges and projects of the workgroups and to select one of interest to them.

**3. Approval of Minutes**

The minutes were reviewed for approval.

**Motion:** To approve the minutes of the May 26, 2011 meeting as written. The motion was seconded and approved. COM-011-04

**BUSINESS ITEMS/POTENTIAL ACTION ITEMS**

**4. New Member Orientation**

An orientation for the new members was given including information about the Arizona Judicial Council and judicial branch committee and commission structure; the goals and charge of the Commission; the various workgroups; and the different projects that are part of the Commission's ongoing work to meet the Chief Justice's strategic goals.

Workgroup	Chairperson	Comments
Cultural Competency	Judge Penny Willrich	This group finalized the definition of cultural competency. A statewide educational broadcast was presented to the court community that dealt with cultural competency and diversity. The program was well received and evaluation noted the need for more such classes.
Diversity	Judge Peter Eckerstrom	The focus of this group has been on putting forth efforts to increase the diversity on court benches statewide. This workgroup works on the Chris Nakamara workshop both in Phoenix and Southern Arizona. This workshop consists of panel members that help with advice on the judicial selection process in regards to diversity. A website aimed at assisting minority bar members in the judicial selection process is in the works.
Over-Representation	Jesus Diaz	This workgroup provides data in the form of a report card that is used by those that are working within the juvenile courts statewide to address the challenges of reducing the incidence of over-representation of youth of color in the juvenile justice system. This group recently produced the Fourth Arizona Statewide Report Card. It is available at: <a href="http://www.azcourts.gov/cscommittees/CommissiononMinorities/COMDocuments.aspx">http://www.azcourts.gov/cscommittees/CommissiononMinorities/COMDocuments.aspx</a>

Collaboration and Outreach	TBD	This group is currently seeking a chairperson. Its focus is on reaching out to courts and other government stakeholders to seek ways to establish partnerships with those that have similar goals. This group has worked closely with the State Bar, Law Schools and other minority bar organizations.
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**ACTION ITEMS:** Staff will send out descriptions of the workgroups to members as well as an updated roster for their further reference.

## 5. **Court Interpreter Registry and Language Access Planning Update - Carol Mitchell, AOC Court Access Specialist**

Ms. Mitchell presented an update on the recent language access developments:

- ✓ Administrative Order No. 2011-96 (AO), recently signed by the Chief Justice, requires courts to develop formal, written language access plans that describe court services for non-English speaking court users. Plans are to be submitted to the Administrative Office of the Courts by December 31, 2011.
- ✓ A language access plan template is available on the court's internal web site (AJIN) – this template and the AO will be presented to the Presiding Judges at their October meeting. It was noted that this is a resource and not meant to be used verbatim, because specifics are different for each court. Courts are encouraged to update these annually as resources may change.
- ✓ The Department of Justice emphasizes that courts need to provide Limited English Speaking Proficiency language services free of charge. This service provides meaningful access to courts and courtrooms, without distinguishing among civil, criminal, or administrative matters.
- ✓ A memorandum from Janet Johnson, Court Services Director, in regards to the recently translated Protective Order Forms was sent out on August 8, 2011. These forms were translated into the languages that were found to be most requested (beyond Spanish). The languages identified were based on a survey of identified interpreters and court administrators. The forms are available on the Arizona Judicial Branch web site and AJIN for court use. The forms are not intended to be filled out in the translated language. Rather, they must be completed and submitted in English.
- ✓ On August 16, 2010, Assistant Attorney General Tom Perez issued a language access guidance letter to state courts. Members had some questions and concerns in regards to this letter. The document addressing these concerns can be found at <http://www.lep.gov>

Ms. Mitchell asked the commission members to notify her when they become aware of resources within the community that might be helpful in encouraging resource development and collaboration between social agencies, other courts, counties or other community resources that are addressing the challenges of working with non-English speaking persons.

## 6. **2012 Meeting Schedule – Susan Pickard**

A proposed schedule for 2012 was presented to the members. The dates proposed were:

Thursday, January 19, 2012  
Thursday, April 19, 2012  
Thursday, July 19<sup>th</sup>, 2012  
Thursday, October 25, 2012

It was brought to staff's attention that October 25<sup>th</sup> was also the same date as the Arizona Judicial Council meeting; therefore staff will look for an alternate date.

**Motion:** To approve the dates of January 29, 2012, April 19, 2012 and July 19, 2012 as proposed in regards to the 2012 Schedule. A new date for the October meeting will be determined at a later meeting. The motion was seconded and approved. COM-011-05

**7. Strategic Planning – Susan Pickard**

The following points were presented and discussed:

Draft 2012-2014 Proposed Goals

Education: Public

- Community-based outreach to increase trust and confidence in the judicial branch
- Helping minority communities to understand court processes such as protective orders and traffic ticket with a goal of dispelling myths, rumors and misunderstanding to improve minority communities' access to the court system
- Collaborate with the Juvenile Justice Services Division to present a session on juvenile reform (over representation/alternatives to detention) to various groups. Begin with a session to the commission members in order to have accurate information shared across the disciplines.

Education: Court Staff

- Webcast – a condensed online session of the Diversity Broadcast for regional conferences (30 mins or 2-1 ½ hrs) or stand-alone sessions), work in collaboration with the Education Services Division.
- Collaborate with counties to develop workshops for court employees regarding diversity issues for use during regional trainings.

Education: Judges

- Conduct a State and Tribal Court meet and greet – This would entail going out to the tribal courts and observing their court system and exchanging ideas/information in order to develop and strengthen partnerships.
- Conduct workshops regarding hiring and training practice to improve diversity on the bench.

Education: Students

- Law School seminars: Speaking to law schools in order to encourage students of color to apply for internships and clerkships.
  - ✓ Research how to get on students organization's agendas
  - ✓ Focus on either first year law students or students in the high school level

## 8. Workgroup Updates

Cultural Competency – Honorable Penny Willrich (Ret.)

This workgroup will meet to identify their goals and objectives for the coming year.

Diversity Workgroup – Honorable Peter Eckerstrom

This workgroup is moving forward on website enhancements. Brainstorming on a FAQ document was undertaken; however, at this point more content is needed. Commission members were encouraged to submit FAQ's that they feel are needed for this website.

Over-Representation – Jesus Diaz

It was reported that the 4th Arizona Statewide Report Card will be presented to various groups: Juvenile Court Judges, Juvenile Court Directors, Chief Probation Officers, the Association for Public Defenders – Juvenile Section, Juvenile Court Prosecutors, and the Arizona Juvenile Justice Commission. If commission members are aware of a group that would be interested in this information, they were asked to contact Jesus Diaz for follow-up and scheduling with appropriate contacts.

Collaboration and Outreach – Honorable Roxanne Song Ong

There was no update. IT was noted that a new chairperson is needed for this workgroup.

## 9. NEXT MEETING

The next full commission meeting is scheduled for Thursday, January 19, 2012 at the Arizona Courts Building, Conference Rooms 230 from 1:00 – 4:00 pm.

**ACTION ITEMS:** Prior to next meeting:

- Send workgroup descriptions to new members
- Send updated roster to all members
- Set up meeting for the Cultural Competency workgroup to discuss goals for new year
- Prepare a presentation for member to illustrate what the Diversity Workgroup has been working on in regards to the website under their development.

**Adjourned at 3:17 p.m.**